

§ 52.471

40 CFR Ch. I (7–1–08 Edition)

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Negative Declaration-VOC Source Categories.	Metropolitan Washington ozone nonattainment area.	4/8/93 and 9/4/97	10/27/99 64 FR 57777	52.478(a), 52.478(b).
Photochemical Assessment Monitoring Stations (PAMS) Program.	Metropolitan Washington ozone nonattainment area.	1/14/94	9/11/95 60 FR 47081	52.480.
Small Business stationary source technical and environmental compliance assistance program.	Statewide .....	10/22/93	8/17/94 59 FR 42165	52.510.
Establishment of air quality monitoring Network.	Statewide .....	5/16/79	8/31/81 46 FR 43676	Subpart I, section 52.465(c)(18).
Lead (Pb) SIP .....	Washington, DC .....	10/7/82	8/18/83 48 FR 37401	52.515(c)(22).
Plan for public notification of air quality.	Metropolitan Washington ozone nonattainment area.	12/5/83	6/1/84 49 FR 22810	52.515(c)(23).
Revision for conflict of interest procedures [CAA Section 128 SIP].	Metropolitan Washington ozone nonattainment area.	12/6/83	6/1/84 49 FR 22810	52.515(c)(24).
Carbon Monoxide Maintenance Plan.	Washington, DC .....	10/12/95 3/9/04	1/30/96, 61 FR 2931 70 FR 16958, 4/4/05	52.515(c)(36) Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.
1996–1999 Rate-of-Progress plan SIP.	Washington 1-hour ozone nonattainment.	11/3/1997, 5/25/1999	5/13/05 70 FR 25688	1999 motor vehicle emissions budgets of 128.5 tons per day (tpy) of VOC and 196.4 tpy of NO <sub>x</sub> .
1990 Base Year inventory Revisions..	Washington 1-hour ozone nonattainment area.	9/5/2003, 2/25/2004	5/13/05 70 FR 25688	Only the TCMs in Appendix J of the 2/25/2004 revision, 2002 motor vehicle emissions budgets (MVEBs) of 125.2 tons per day (tpy) for VOC and 290.3 tpy of NO <sub>x</sub> , and, 2005 MVEBs of 97.4 tpy for VOC and 234.7 tpy of NO <sub>x</sub> .
1999–2005 Rate-of-Progress Plan SIP Revision and the Transportation Control Measures (TCMs) in Appendix J.	Washington 1-hour ozone nonattainment area.	9/5/2003, 2/25/2004	5/13/05 70 FR 25688	
VMT Offset SIP Revision	Washington 1-hour ozone nonattainment area.	9/5/2003, 2/25/2004	5/13/05 70 FR 25688	2005 motor vehicle emissions budgets of 97.4 tons per day (tpy) for VOC and 234.7 tpy of NO <sub>x</sub> .
Contingency Measure Plan.	Washington 1-hour ozone nonattainment area.	9/5/2003, 2/25/2004	5/13/05 70 FR 25688	
1-hour Ozone Modeled Demonstration of Attainment and Attainment Plan.	Washington 1-hour ozone nonattainment area.	9/5/2003, 2/25/2004	5/13/05 70 FR 25688	

[63 FR 67417, Dec. 7, 1998, as amended at 64 FR 31500, June 11, 1999; 64 FR 52657, Sept. 30, 1999; 64 FR 57780, Oct. 27, 1999; 64 FR 68294, Dec 7, 1999; 65 FR 44984, July 20, 2000; 65 FR 80784, Dec. 22, 2000; 65 FR 81370, Dec. 26, 2000; 66 FR 23614, May 9, 2001; 66 FR 55102, Nov. 1, 2001; 68 FR 33639, June 5, 2003; 69 FR 47775, Aug. 6, 2004; 69 FR 76858, Dec. 23, 2004; 69 FR 77641, 77644, 77647, 77649, Dec. 28, 2004; 69 FR 77905, 77908, Dec. 29, 2004; 70 FR 16963, Apr. 4, 2005; 70 FR 24969, May 12, 2005; 70 FR 25717, May 13, 2005; 70 FR 28988, May 19, 2005; 70 FR 52920, Sept. 6, 2005]

§ 52.471 Classification of regions.

The District of Columbia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
National Capital Interstate .....	I	I	III	I	I

[37 FR 10857, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 46 FR 61263, Dec. 16, 1981]

**§ 52.472 Approval status.**

(a) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards.

(b) With respect to the transportation control strategies submitted on April 19, July 9, and July 16, 1973, the Administrator approves the measures for parking surcharge, car pool locator, vehicle inspection, express bus lanes, increased bus fleet and service, elimination of free parking by private employers, with exceptions set forth in §§ 52.476, 52.483, 52.486, and 52.479.

(c) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977.

(d) Section 710 of title 20 of the District of Columbia Regulations is approved with the following condition: Any alternative controls or exemptions under section 710.8 approved or granted by the District of Columbia are subject to a public notice and public hearing requirements and must be submitted to EPA as SIP revisions. Such alternatives or exemptions are not effective until approved as SIP revisions by EPA.

(e) [Reserved]

(f) Disapproval of revisions to the District of Columbia State Implementation Plan, District of Columbia Municipal Regulations (DCMR) Title 20, Sections 200, 201, 202, 204 and 299, pertaining to permitting of sources, and associated definitions in Section 199 submitted on June 21, 1985 and October 22, 1993 by the Mayor of the District of Columbia (1985 submittal) and by the Administrator of the District of Columbia Environmental Regulation Administration (1993 submittal). The disapproved regulations include those applicable to major new and major modified sources wishing to locate in the District. A new source review program

for such major sources is required under sections 182 and 184 of the Clean Air Act. There are many deficiencies in the DCMR permitting regulations. Some of these deficiencies are the lack of public notice and comment procedures for new and modified sources applying for construction permits, the existence of a provision that allows the Mayor to grant indefinite 1-month temporary permits to those sources whose permits he/she determines have been delayed because of his/her office, the inclusion of a major source operating permit program, the inclusion of a minor source operating permit program that does not meet Part D requirements of the Act, the exemption of certain fuel burning (nitrogen oxide emitting) sources, incorrect citations of the Clean Air Act, a provision that allows circumvention of the offset requirement, and the lack of the de minimis special modification provisions required in serious and severe ozone non-attainment areas (section 182(c)(6) of the Clean Air Act).

[38 FR 33709, Dec. 6, 1973, as amended at 46 FR 61263, Dec. 16, 1981; 57 FR 34251, Aug. 4, 1992; 60 FR 5136, Jan. 26 1995; 60 FR 15486, Mar. 24, 1995; 61 FR 2936, Jan. 30, 1996]

**§ 52.473 Conditional approval.**

The District of Columbia's severe ozone nonattainment area SIP for the Metropolitan Washington area, which includes the 1996-1999 portion of the rate-of-progress plan submitted on November 3, 1997, and May 25, 1999 and the transportation control measures in Appendix H of the May 25, 1999 submittal, and the severe ozone attainment demonstration submitted on April 24, 1998, October 27, 1998, February 16, 2000 and section 9.1.1.2 of the March 22, 2000 submittal, is conditionally approved contingent on the District submitting a revised SIP by April 17, 2004 that satisfies certain conditions. This conditional approval also establishes motor vehicle emissions budgets for 2005 of 101.8 tons per day of volatile organic compounds (VOC) and 161.8 tons per day of nitrogen oxides (NO<sub>x</sub>) to be used in transportation conformity in the Metropolitan Washington, DC serious